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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Jeremy E. Dahl et al.

Application No.: 10/621,956

Filing Date: July 16, 2003

Title: OPTICAL USES OF DIAMOND-CONTAINING MATERIALS

Group Art Unit: 2828

Examiner: JAMES A MENEFE

Confirmation No.: 2018

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

☐ A Petition for Extension of Time is also enclosed.

☐ Terminal Disclaimer(s) and the ☐ \$65.00 (2814) ☐ \$130.00 (1814) fee per  
Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.

☐ Also enclosed is/are \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ Small entity status is hereby claimed.

☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the  
☐ \$395.00 (2801) ☐ \$790.00 (1801) fee due under 37 C.F.R. § 1.17(e).

☐ Applicant(s) requests that any previously unentered after final amendments not be entered.  
Continued examination is requested based on the enclosed documents identified above.

☐ Applicant(s) previously submitted \_\_\_\_\_  
\_\_\_\_\_  
on \_\_\_\_\_,  
for which continued examination is requested.

☐ Applicant(s) requests suspension of action by the Office until at least \_\_\_\_\_,  
which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R.  
§ 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also  
enclosed.

- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below.

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims		MINUS =	0	x \$50.00 (1202) =	\$ 0.00
Independent Claims		MINUS =	0	x \$200.00 (1201) =	\$ 0.00
If Amendment adds multiple dependent claims, add \$360.00 (1203)					
Total Claim Amendment Fee					\$ 0.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					\$ 0.00
<b>TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT</b>					<b>\$ 0.00</b>

- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the fee due.
- ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800.
- ☐ Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

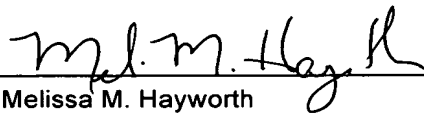
Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

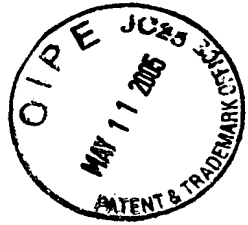
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: May 11, 2005

By

  
Melissa M. Hayworth  
Registration No. 45,774

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



In re Patent Application of	)	
Jeremy E. Dahl, et al.	)	Group Art Unit: 2828
Application No.: 10/621,956	)	Examiner: Menefee, James A.
Filed: July 16, 2003	)	Confirmation No.: 2018
For: OPTICAL USES OF DIAMONDROID- CONTAINING MATERIALS	)	
	)	
	)	
	)	

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In complete response to the Office Action dated April 11, 2005, Applicants submit the following response.

In the Office Action, the Examiner sets forth an election from among seven (7) groups of distinct species.

Applicants respectfully traverse the election of species requirement as set forth in the Office Action. Nevertheless, in order to comply with the requirements of 37 C.F.R. § 1.146, Applicants hereby elect, with traverse, the species identified by Group 7: lens, mirror, pressure window, or waveguide (Claims 58-61), for the purposes of searching only. It is believed that claims 1-3 and 58-61 are readable upon the elected species as defined above.

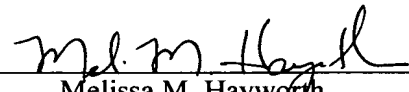
Applicants note that in the Office Action the Examiner has indicated that generic claims 1-3 will be examined regardless of the elected species and has further indicated that the claims will be restricted to the elected species if no generic claim is held to be allowable.

Applicants have no intention of abandoning any non-elected subject matter and should it be necessary, Applicants expressly reserve the right to file one or more continuation and/or divisional applications directed to non-elected subject matter.

The Examiner is invited to contact the undersigned at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

In the event any further fees are due to maintain pendency of this application, the Examiner is authorized to charge such fees to Deposit Account No. 02-4800.

Respectfully submitted,  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By   
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Dated: May 11, 2005